

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MAGISTRATE JUDGE MBS

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY, a Massachusetts nonprofit
corporation

Plaintiff,

v.

BEAT THE HOUSE, LLC, a California limited
liability company

Defendants.

04-11861 JLT

CIVIL ACTION NO. _____

RECEIPT # 58265
AMOUNT \$ 150.00
SUMMONS ISSUED 1
LOCAL RULE 4.1
WAIVER FORM
MCF ISSUED
BY DPTY. CLK. M.P.
DATE 8/26/04

COMPLAINT AND JURY DEMAND

Plaintiff Massachusetts Institute of Technology ("MIT" or "Plaintiff"), by its undersigned attorneys, sets forth its Complaint against defendant Beat the House, LLC ("Defendant") as follows:

PARTIES

1. MIT is a nonprofit corporation, organized and existing under the laws of the Commonwealth of Massachusetts, with its principal place of business at 77 Massachusetts Avenue, Cambridge, Massachusetts 02139.

2. Upon information and belief, Defendant Beat the House, LLC is a limited liability company, organized and existing under that laws of the State of California, with its principal place of business at 796 El Camino Real, San Carlos, California 94070.

JURISDICTION AND VENUE

3. Subject matter jurisdiction is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a), which confer original jurisdiction upon this Court for civil actions arising under the laws of the United States and any act of Congress relating to trademarks, respectively. In addition, supplemental jurisdiction over related state law claims is conferred upon this Court by 28 U.S.C. § 1367(a).

4. This Court may properly exercise personal jurisdiction over Defendant because Defendant, through its interactive Internet website and possibly through other forums, actively advertises, promotes, and sells – throughout Massachusetts and the United States – goods and services under a mark that infringes and dilutes the MIT mark.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), as well as 28 U.S.C. § 1400(a), because Defendant does business in Massachusetts and a substantial part of the events giving rise to the claims asserted herein occurred in this judicial district and because the harm Plaintiff has suffered and will continue to suffer will be experienced primarily in Massachusetts.

FACTUAL BACKGROUND

MIT's Trademark Rights

6. Founded in 1861, MIT is widely considered to be one of the most prestigious universities in the world. MIT is particularly well known in the fields of engineering, mathematics, computer science and technology, and business administration.

7. MIT has used the mark MIT[®] in connection with its services and goods since at least 1861, and it has actively and continuously used the mark on a national and international basis since the mid-19th century.

8. MIT owns U.S. Trademark Registration No. 1562643 for the mark MIT for

educational services (International Class 41), dated October 24, 1989, and U.S. Trademark Registration No. 1500620 for the mark MIT for clothing (including t-shirts) (International Class 25), dated August 16, 1988. These registrations have obtained “incontestable” status pursuant to 15 U.S.C. § 1065. A true and accurate copy of the United States Patent and Trademark’s Office records of U.S. Trademark Registration Nos. 1562643 and 1500620 are attached hereto as Exhibits 1 and 2, respectively.

9. MIT also owns a number of federal trademark and/or service mark registrations for related marks, such as U.S. Registration No. 1516743, dated December 13, 1988, for the mark MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

10. In addition to its federal trademark and/or service mark registrations, MIT has common law rights in the mark MIT as a result of its extensive and continuous use of that mark in commerce for over 140 years.

11. Due to MIT’s extensive use and promotion, the MIT mark has acquired secondary meaning, in that an appreciable number of consumers and others associate the MIT mark with MIT or MIT’s goods and services.

12. Due to MIT’s extensive use and promotion, the MIT mark has become distinctive and famous within the meaning of 15 U.S.C. § 1125(c), and it is closely and uniquely associated with MIT and the various goods and services MIT offers.

13. By virtue of MIT’s diligent efforts, the expenditure of considerable funds for promotional activities, and the quality of the various goods and services MIT offers under its MIT mark, MIT has acquired an extremely valuable reputation for, and has developed considerable goodwill in, its MIT mark.

14. MIT has diligently enforced its rights in the MIT mark.

Defendant's Infringing Website

15. Upon information and belief, on or about October 9, 2002, Defendant registered the URL mitblackjack.com, which URL incorporates the MIT mark in its entirety and was selected for the purpose of communicating an association with MIT.

16. Defendant currently operates a website at the URL mitblackjack.com. The website is called "MITBlackjack.com," which website prominently features the MIT mark on every page.

17. Through its website, Defendant offers, promotes, and sells goods and services related to gambling. Specifically, the website offers, promotes, and sells goods and services relating to a proprietary system for winning money by playing casino blackjack.

18. The "MIT" of "MITblackjack.com" appears on each page of Defendant's website in red block letters. The "blackjack" of "MITBlackjack.com" appears in black block letters that are nearly half the size of "MIT." See Exhibit 3 hereto (true and accurate printouts of pages from Defendant's website).

19. The website contains the following disclaimer in small print at the bottom of each page – "Mitblackjack.com and Beat the House, LLC are not affiliated with the Massachusetts Institute of Technology (MIT)."

20. Defendant is using the mark MIT for the URL mitblackjack.com and on the corresponding website without the authorization or consent of MIT.

Defendant's Trademark Applications

21. Upon information and belief, the individual owners of Beat the House, LLC are former MIT students. As such, these individuals were, and are, familiar with MIT and with the MIT mark.

22. On April 2, 2004, Defendant, with the assistance of counsel, filed four separate applications with the United States Patent and Trademark Office (“PTO”) to register the mark MIT BLACKJACK.

23. Defendant has a pending application to register the mark MIT BLACKJACK for business management and consultation in the field of gambling, card counting, and casinos – Serial No. 78395385, filed on April 2, 2004. This application seeks to register the mark on an in-use basis, claiming a date of first use in commerce of 2002. *See* Exhibit 4 hereto (true and accurate printout from PTO online database).

24. Defendant has a pending application to register the mark MIT for motion picture films and documentary films involving gambling, card counting, and casinos – Serial No. 78395362, filed on April 2, 2004. This application seeks to register the mark on an intent-to-use (“ITU”) basis. *See* Exhibit 5 hereto (true and accurate printout from PTO online database).

25. Defendant has a pending application to register the mark MIT BLACKJACK for entertainment in the nature of television programming and motion pictures in the field of gambling, card counting, and casinos – Serial No. 78395372, filed on April 2, 2004. This application seeks to register the mark on an ITU basis. *See* Exhibit 6 hereto (true and accurate printout from PTO online database).

26. Defendant has a pending application to register the mark MIT BLACKJACK for materials, books, periodicals and the like relating to gambling, card counting, and casinos – Serial No. 78395378, filed on April 2, 2004. This application seeks to register the mark on an ITU basis. *See* Exhibit 7 hereto (true and accurate printout from PTO online database).

27. Defendant seeks to register the mark MIT BLACKJACK without the authorization or consent of MIT.

COUNT I
Unfair Competition – Trademark Infringement
(15 U.S.C. §§ 1114(a))

28. MIT specifically incorporates and realleges the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

29. MIT engages in interstate commerce and promotes the goods and services it offers under the MIT mark throughout the United States.

30. The MIT mark has been, and continues to be, known throughout the United States and the world as identifying and distinguishing Plaintiff's university and the goods and services offered at Plaintiff's university.

31. As a registered trademark and, in particular, as an incontestable registration, the MIT mark is deemed to be distinctive for purposes of trademark law, either inherently or through acquired distinctiveness (secondary meaning).

32. Having been extensively used and promoted for over 140 years in connection with one of the world's most prestigious universities, the MIT mark is famous and distinctive in the United States (and the world).

33. Without the authorization or consent of MIT, Defendant has used, and continues to use, a mark that incorporates – and is confusingly similar to – the MIT mark.

34. Defendant knew, or should have known, that its adoption and use of a mark that incorporates – and is confusingly similar to – the MIT mark would cause confusion or mistake among the public as to the source, affiliation, or origin of its goods and services.

35. Defendant's use of the MIT mark has caused, and will continue to cause, confusion, mistake, or deception among the general public as to the source or origin of the products and/or services provided by Defendant. Defendant's conduct is likely to deceive the

general public into believing that the infringing goods and services being offered by Defendant originate from, are associated with, or are otherwise authorized by MIT, in violation of 15 U.S.C. § 1114(a).

36. By using a mark that incorporates – and is confusingly similar to – the MIT mark, and by selling, offering for sale, distributing, and/or advertising goods and services to the general public under such mark, for profit and without MIT’s authorization, Defendant is depriving MIT of its exclusive right to control and benefit from its trademarks.

37. MIT has been, and continues to be, damaged by Defendant’s activities and conduct. Defendant has profited thereby and, unless its conduct is enjoined, MIT’s reputation and goodwill will continue to suffer irreparable injury that cannot adequately be calculated or compensated by money damages. Accordingly, MIT seeks injunctive relief pursuant to 15 U.S.C. § 1116.

38. By using a mark that incorporates – and is confusingly similar to – the MIT mark, Defendant has, upon information and belief, intentionally and knowingly used and adopted MIT’s mark for the purpose of trading on MIT’s reputation and goodwill. Accordingly, MIT is entitled to an accounting of all of the profits Defendant has derived from its unlawful use of the mark and an award of its actual damages (trebled), together with reasonable attorney’s fees, pursuant to 15 U.S.C. § 1117(a).

COUNT II
Unfair Competition and False Designation of Origin
(15 U.S.C. § 1125(a))

39. MIT specifically incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

40. By using the mark MIT and by selling, offering for sale, distributing, and/or advertising goods and services to the general public under this mark, without MIT’s

authorization or consent, Defendant is falsely representing an affiliation with MIT.

41. Defendant's use of the mark MIT in connection with its business constitutes false designation of origin, false descriptions and representations, and infringement of MIT's trademark. Defendant has used a combination of elements that is likely to cause mistake or to deceive people as to the Defendant's affiliation, connection, or association with MIT's goods, services, or commercial activities, in violation of 15 U.S.C. § 1125(a)(1).

42. MIT has been, and continues to be, damaged by Defendant's activities and conduct. Defendant has profited thereby and, unless its conduct is enjoined, MIT's reputation and goodwill will continue to suffer irreparable injury that cannot adequately be calculated or compensated by money damages. Accordingly, MIT seeks injunctive relief pursuant to 15 U.S.C. § 1116.

43. By using a mark that incorporates – and is confusingly similar to – the MIT mark, Defendant has, upon information and belief, intentionally and knowingly used and adopted MIT's mark for the purpose of trading on MIT's reputation and goodwill. Accordingly, MIT is entitled to an accounting of all of the profits Defendant has derived from its unlawful use of the mark and an award of its actual damages (trebled), together with reasonable attorney's fees, pursuant to 15 U.S.C. § 1117(a).

COUNT III
Unfair Competition – Famous Mark Dilution
(15 U.S.C. § 1125(c))

44. MIT specifically incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

45. The MIT mark is famous and distinctive, as defined in 15 U.S.C. § 1125(c).

46. By using MIT's mark in connection with goods and services relating to gambling and card counting, Defendant has diminished the ability of MIT's mark to serve as a unique

identifier of MIT's goods and services, and unless enjoined, will continue to do so.

47. Defendant is blurring and/or tarnishing the ability of the MIT mark to serve as a unique source identifier.

48. Defendant adopted the mark MIT BLACKJACK, and began using it, long after Plaintiff's mark had become distinctive and famous.

49. By using the MIT mark in connection with gambling and card counting goods and services, Defendant is, upon information and belief, willfully trading on MIT's reputation and/or diluting MIT's famous mark. Accordingly, MIT is entitled to an accounting of all of the profits Defendant has derived from its unlawful use of the mark and an award of its actual damages (trebled), together with reasonable attorney's fees, pursuant to 15 U.S.C. § 1117(a).

50. MIT has been, and continues to be, damaged by Defendant's activities and conduct. Unless its conduct is enjoined, MIT's reputation and goodwill will continue to suffer irreparable injury that cannot adequately be calculated or compensated by money damages. Accordingly, MIT seeks injunctive relief pursuant to 15 U.S.C. §§ 1116 and 1125(c)(1).

COUNT IV
Unfair Competition – Trademark Infringement
(Common Law)

51. MIT specifically incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

52. The MIT mark possesses secondary meaning, and it is famous and distinctive throughout the United States.

53. Without authorization or consent of MIT, Defendant has used, and continues to use the mark MIT and sell, offer for sale, distribute, and advertise goods and services to the general public using this mark, in or affecting interstate commerce. Thus, Defendant is palming

off its goods and services as those of MIT or, at a minimum, falsely suggesting that its goods and services are associated with or endorsed or sponsored by MIT.

54. Defendant's use of the mark MIT for its goods and services has caused, and will continue to cause, confusion, mistake, and deception among the general public as to the origin of the goods and services. Defendant's conduct is likely to deceive the general public into believing that the infringing goods and services being offered by Defendant originate from, are associated with, or are otherwise authorized by MIT.

55. Upon information and belief, Defendant has willfully, intentionally, and knowingly used MIT's trademark for the purpose of exploiting and trading on MIT's reputation and goodwill.

56. By using a mark confusingly similar to the MIT mark and by selling, offering for sale, distributing, and/or advertising goods and services to the general public under such mark, for profit and without MIT's authorization, Defendant is depriving MIT of its exclusive right to control and benefit from its trademarks.

57. MIT has been, and continues to be, damaged by Defendants' activities and conduct. Defendant has profited thereby and, unless its conduct is enjoined, MIT's reputation and goodwill will continue to suffer irreparable injury that cannot adequately be calculated or compensated by money damages. Accordingly, MIT seeks injunctive relief and monetary damages to compensate it for its actual harm.

COUNT V
Declaratory Judgment of Non-Registrability of
Defendant's Trademark Applications
(28 U.S.C. § 2201 *et seq.*)

58. MIT specifically incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

59. Defendant filed four separate applications with the United States Patent Office to register the mark MIT BLACKJACK, one on an in-use basis and three on an ITU basis.

60. Through its applications filed with the United States Patent and Trademark Office, Defendant is seeking to federally register MIT BLACKJACK, a mark that incorporates the MIT mark in its entirety, without the authorization or consent of MIT.

61. If permitted to register, Defendant's trademarks and/or service marks will cause confusion and will falsely lead consumers to believe that Defendant's goods and services are somehow affiliated with MIT.

62. By filing four applications to register the mark MIT BLACKJACK, Defendant created an actual and justiciable controversy concerning the registrability of its mark(s).

63. Accordingly, pursuant to 28 U.S.C. § 2201 *et seq.*, MIT seeks a declaration from the Court that Defendant cannot register the mark MIT BLACKJACK, or any variant thereof, either on the principal or supplemental registers.

COUNT VI
Unfair and Deceptive Acts and Practices
(M.G.L. c. 93A, §§ 2 and 11)

64. MIT specifically incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

65. MIT and Defendant are engaged in the conduct of trade or commerce within the meaning of M.G.L. c. 93A.

66. By using a mark that incorporates the MIT mark in its entirety, and by applying to federally register MIT BLACKJACK as a trademark and/or service mark, without the permission or consent of MIT, Defendant is engaging in an unfair and deceptive trade practice.

67. Defendant's unfair and deceptive trade practices in the conduct of commercial

business occurred primarily and substantially in Massachusetts.

68. Defendant is making intentional and knowing misrepresentations to its customers by using the mark MIT and by selling, offering for sale, distributing, and/or advertising goods and services to the general public under this mark, for profit and without MIT's authorization.

69. MIT has been, and continues to be, damaged by Defendants' activities and conduct. Defendant has profited thereby and, unless their conduct is enjoined, MIT's reputation and goodwill will continue to suffer irreparable injury that cannot adequately be calculated or compensated by money damages. Accordingly, MIT seeks injunctive relief, pursuant to M.G.L. c. 93A, § 11.

70. By using the mark MIT and by selling, offering for sale, distributing, and/or advertising goods and services to the general public under this mark, Defendant has intentionally and knowingly misappropriated MIT's trademark. Accordingly, MIT is entitled to a judgment of three times its damages, together with reasonable attorney's fees, pursuant to M.G.L. c. 93A, § 11.

WHEREFORE, Plaintiff Massachusetts Institute of Technology respectfully requests that the Court:

1. Preliminarily and permanently enjoin Defendant and its officers, directors, agents, employees, attorneys, successors, assigns, members, and all persons acting in concert or participation with them, from using the mark MIT in connection with the sale, offering for sale, distribution, promotion, and/or advertisement of goods and/or services to the public, including without limitation any mark consisting of or including the mark MIT, such as MIT BLACKJACK or MIT BLACKJACK CLUB. Defendant may use the name "MIT" in a factually

descriptive manner.

2. Preliminarily and permanently enjoin Defendant from using the URL mitblackjack.com;

3. Preliminarily and permanently enjoin Defendant from owning, controlling, and/or operating any website that uses the name “MIT” in any manner this is not merely factually descriptive;

4. Issue an Order declaring that Defendant’s mark MIT BLACKJACK is not registrable as a trademark or service mark, either on the principal or supplemental registers, and order that any pending applications to register MIT BLACKJACK, or any variants thereof, be abandoned and/or withdrawn;

5. Find that this case is an “exceptional” case under 15 U.S.C. § 1117(a), thereby entitling MIT to recover its attorneys’ fees.

6. Enter judgment in favor of MIT on each and every count asserted in MIT’s Complaint and find that MIT is entitled to an accounting of all of the profits Defendant has derived from its unlawful use of the MIT mark and an award of its actual damages, trebled as appropriate, together with reasonable attorneys’ fees, pursuant to 15 U.S.C. § 1117(a);

7. Award MIT the costs incurred in bringing and prosecuting this action;

8. Order Defendant to certify the destruction of all infringing materials pursuant to 15 U.S.C. § 1118; and

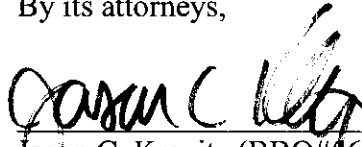
9. Award MIT such further relief as the Court deems just, proper and equitable.

JURY DEMAND

Plaintiff demands a trial by jury on each and every claim and defense so triable.

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY

By its attorneys,



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Dated: August 26, 2004



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Word Mark	MIT
Goods and Services	IC 041. US 107. G & S: EDUCATIONAL SERVICES, NAMELY, PROVIDING COURSES OF INSTRUCTION AT THE COLLEGE AND GRADUATE LEVEL. FIRST USE: 18610000. FIRST USE IN COMMERCE: 18610000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73703786
Filing Date	January 4, 1988
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	August 1, 1989
Registration Number	1562643
Registration Date	October 24, 1989
Owner	(REGISTRANT) MASSACHUSETTS INSTITUTE OF TECHNOLOGY CORPORATION MASSACHUSETTS 77 MASSACHUSETTS AVENUE CAMBRIDGE MASSACHUSETTS 02139
Attorney of Record	B. JEAN WEIDEMIER
Type of Mark	SERVICE MARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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Typed Drawing

Word Mark	MIT
Goods and Services	IC 025. US 039. G & S: CLOTHING, NAMELY, SWEATERS, SWEATPANTS, SWEATSHIRTS, JACKETS, T-SHIRTS, NECKTIES, SHORTS AND SHIRTS. FIRST USE: 19800101. FIRST USE IN COMMERCE: 19800101
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73703704
Filing Date	January 4, 1988
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 24, 1988
Registration Number	1500620
Registration Date	August 16, 1988
Owner	(REGISTRANT) MASSACHUSETTS INSTITUTE OF TECHNOLOGY CORPORATION MASSACHUSETTS 77 MASSACHUSETTS AVENUE CAMBRIDGE MASSACHUSETTS 02139
Attorney of Record	THOMAS V. SMURZYNSKI
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).

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a group of MIT students
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About Us

The owners of this website are the former managers and members of the world famous MIT student Blackjack Club. For reasons that are obvious to the professional players, we have decided to keep our identities hidden from the casinos so we can continue to play.

"Mr. J"

"Mr. J" is the President and Co-Founder of Mitblackjack.com, and a former member of the original MIT student Blackjack Club. As an undergraduate at MIT, Mr. J was recruited by "Mr. Kim" and played for the club for five years. During that time, he refined his skills while playing regularly in casinos all over the country. Mr. J became one of the more skilled players and helped the Club achieve tremendous financial success.

"Mr. Kim"

Mr. Kim is the Chief Product Development Officer and Co-Founder of Mitblackjack.com. Mr. Kim's notorious blackjack career began in 1992 as a student at MIT, where he quickly became one of the top "big" players and money winners for the MIT student Blackjack Club. Within several years, Mr. Kim became a co-manager, and was the primary recruiter and trainer for the Blackjack Club, contributing significantly to the group's incredible growth and financial success in the 1990's.

"Johnny C"

"Johnny C" is a technical expert for Mitblackjack.com and one of the founders of the MIT student Blackjack Club, with over 20 years of playing experience. He began studying blackjack at MIT with his thesis: "Win/Loss Distributions in Blackjack". He began his blackjack career in 1982 and soon established himself as one of the world's most accomplished advanced strategy players. By the end of the 1990s, Johnny C had arguably become the most feared blackjack player in the world. Johnny organized the now world famous MIT student Blackjack Club. He self-co-managed the initial group of players, including Mr. Kim and Mr. J., that went on to become the most successful Blackjack Club in history.



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Autosave

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Club History

A group of highly motivated MIT students, a unique blackjack training method, and a lure of winning big money. What began as an innocent mathematical experiment in the early 80's eventually became a lucrative enterprise for a select group of MIT students. How the Club trained its players to win has been shrouded in secrecy - until now.

In 1994 a group of MIT students was secretly recruited to put their newly developed training methods to the test. Combining the knowledge and experience from past experience with a whole new approach, the Club took blackjack to a level never seen before. That was the start of the legendary run of the MIT student Blackjack Club. Their exploits have been chronicled in a New York Times best-selling book, on National Public Radio, and on cable and network television. Their winnings total millions of dollars. Only a select few know for sure.

Now, former members and managers of the original Blackjack Club have decided to share their winning strategies through a comprehensive, easy-to-learn home study course called Blackjack: Winning Strategy. For the first time, all the details of the winning system are being made available to the public. Click here to learn more about all our products and seminars.

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Now you too can learn the blackjack system used by a group of MIT student millions of dollars at casinos around the world! Brought to you by the original student Blackjack Club players and managers, our patent-pending home training course, *Blackjack: Winning Strategy*, includes everything you need to develop blackjack skills. For those who prefer more hands-on instruction, we offer training through our Seminars and Private Training. Everything taught by the student Blackjack Club is 100% legal.

We are so confident that you will benefit from our home training course - we guarantee it! Try our home training course, *Blackjack: Winning Strategy*, risk-free for 30 days. If you are not completely satisfied, simply return it within 30 days for a refund of your purchase price.

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MIT BLACKJACK

Word Mark MIT BLACKJACK

Goods and Services IC 035. US 100 101 102. G & S: Business management, consultation, development, information and evaluation in the field of gambling, card counting and casinos; providing consumer information, statistical information, commercial information, business information and advice in the field of gambling, card counting and casinos. FIRST USE: 20021000. FIRST USE IN COMMERCE: 20021000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78395385

Filing Date April 2, 2004

Current Filing Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) Beat the House, LLC LTD LIAB CO UNITED STATES 200 E. Delaware, Suite 8B Chicago ILLINOIS 60611

Attorney of Record Joseph J. Berghammer
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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MIT BLACKJACK

Word Mark	MIT BLACKJACK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Motion picture films involving gambling, card counting, casinos and documentary films involving gambling, card counting and casinos
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78395362
Filing Date	April 2, 2004
Current Filing Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Beat the House, LLC LTD LIAB CO UNITED STATES 200 E. Delaware, Suite 8B Chicago ILLINOIS 60611
Attorney of Record	Joseph J. Berghammer

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead
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MIT BLACKJACK

Word Mark MIT BLACKJACK

Goods and Services IC 041. US 100 101 107. G & S: Entertainment in the nature of on-going television programming in the field of gambling, card counting, casinos and variety; entertainment services, namely providing motion pictures and television programming in the field of gambling, card counting and casinos; motion pictures, television and motion picture film production, cinema adaptation and editing

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78395372

Filing Date April 2, 2004

Current Filing Basis 1B

Original Filing Basis 1B

Owner (APPLICANT) Beat the House, LLC LTD LIAB CO UNITED STATES 200 E. Delaware, Suite 8B Chicago ILLINOIS 60611

Attorney of Record Joseph J. Berghammer
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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MIT BLACKJACK

Word Mark MIT BLACKJACK

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed materials, fiction books and non-fiction books and series of books in the field of gambling, card counting and casinos; charts, periodicals, circulars, manuals, newsletters and magazines regarding gambling, card counting and casinos; motion picture and television scripts in the fields of gambling, card counting and casinos

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78395378

Filing Date April 2, 2004

Current Filing Basis 1B

Original Filing Basis 1B

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Attorney of Record Joseph J. Berghammer
Type of Mark TRADEMARK
Register PRINCIPAL
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